Zoning Adjustments Board
Thursday, June 26, 2014 – 7:00 PM

City Council Chambers, 2134 Martin Luther King Jr. Way, Second Floor
Berkeley (Wheelchair Accessible)

Preliminary Matters:

Roll Call: Steven Donaldson (Acting Chairperson), appointed by Councilmember Moore
Denise Pinkston, appointed by Mayor Bates
Robert Allen, appointed by Councilmember Wengraf
Shoshana O'Keefe, appointed by Councilmember Anderson
Sophie Hahn, appointed by Councilmember Worthington
Igor Tregub, appointed by Councilmember Arreguin

Substitution: Tim Frank, for George Williams

Absent: Prakash Pinto (Vice Chairperson), appointed by Councilmember Maio

Excused: George Williams, appointed by Councilmember Capitelli
Michael Alvarez Cohen (Chairperson), appointed by Councilmember Wozniak

Members of the Public
Present: 24
Speakers: 6

Ex Parte Communication Disclosures:
I. Tregub: I have one ex parte, 2401 warring street, communications with Rent
Board director executive, Jay Kelekian, regarding the occupancy status of a
property.
Tim Frank: I happen to be a customer of missing link bicycles. When I was in, I
actually asked the Clerk what they thought about the challenges that they faced
and we exchanged a couple of words. I didn't tell them that I was serving on the
adjustments board, I didn't invite a lot of conversation, but I thought I'd
acknowledge it.
D. Pinkston: I got a call from Rena Rickles regarding how to provide additional
information and suggested she should write a letter.

Public Comment:
1

Agenda Changes:
None
### Consent Calendar:

<table>
<thead>
<tr>
<th>Action:</th>
<th>APPROVED</th>
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<tbody>
<tr>
<td>Motion / Second:</td>
<td>I. Tregub / S. O'Keefe</td>
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<tr>
<td># of Speakers:</td>
<td>0</td>
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<tr>
<td>Vote:</td>
<td>7-0-0-1 (Absent: P. Pinto)</td>
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#### 1. 2501-2509 Haste St. & 2433 Telegraph Ave. – El Jardin - Continued

**Use Permit #12-10000012** to demolish a 6,950 square foot retail building at 2433 Telegraph Avenue and to construct an 89,054 square foot, 69'/6-story, mixed-use building to include 79 dwelling units, 30,356 square feet of commercial floor area and no off-street parking spaces.

**CEQA Action:** Pending  
**Applicant:** Kirk Peterson, Kirk E. Peterson & Associates Architects, 5253 College Avenue, Oakland CA 94608  
**Zoning:** C-T, Commercial-Telegraph  
**Planner:** Greg Powell, gpowell@ci.berkeley.ca.us, (510) 981-7414  
**Continued From:** May 22, 2014  
**Recommendation:** HOLD hearing and CONTINUE matter to July 24, 2014

#### 2. 85 Parnassus Road

**Appeal of Administrative Use Permit #12-20000158** to convert an existing accessory structure (containing habitable space) into an accessory dwelling unit located 5 feet from the rear lot line where 20 feet is required, with required off-street parking (one space) located in the required rear yard.

**CEQA Determination:** Categorically exempt.  
**Applicant / Owner:** Ed and Mona Nichols 85 Parnassus Rd., Berkeley, CA 94708  
**Appellant:** Rena Rickles for Russell Barnett and Jennifer Chatman, 10 E Parnassus Ct. Berkeley, CA 94708  
**Zoning:** R-1H – Single Family Residential, Hillside  
**Planner:** Claudine M. Asbagh, casbagh@ci.berkeley.ca.us, (510) 981-7424  
**Continued From:** None  
**Recommendation:** SET new public hearing for Appeal of AUP #12-20000158

#### 3. 1334½ Parker Street

**Use Permit 2014-0013** to enclose a covered porch and covered balcony located in the rear yard setback on a site which is over lot density.

**CEQA Determination:** Categorically exempt pursuant to Section 15301 of the CEQA Guidelines ("Existing Facilities").  
**Applicant:** Alex Chiappetta, 1333 Parker Street, Berkeley, CA 94702  
**Property Owner:** Phil Morton and Paula Buel, 1334½ Parker Street, Berkeley, CA 94702  
**Zoning:** R-1 – Single Family Residential District  
**Planner:** Elizabeth Greene, EGreene@ci.berkeley.ca.us, (510) 981-7484  
**Continued From:** None  
**Recommendation:** APPROVE Use Permit 2014-0013 pursuant to Section 23B.32.040 and subject to the attached Findings and Conditions
Action Calendar:

4. **2996 Telegraph Avenue**
   
   Use Permit 2013-0031 to remodel and expand an existing 2,618-square-foot auto service building for use as a 2,475-square-foot convenience store with wine and beer sales for off-site consumption (Type 20 ABC license) with hours of operation from 7:00 a.m. to 12:00 a.m., and a 1,950-square-foot quick food service restaurant with an outdoor seating area (± 500 sq. ft.) with hours of operation from 7:00 a.m. to 8:00 p.m.
   
   **CEQA Determination:** Negative Declaration prepared pursuant to CEQA Guidelines.
   
   **Applicant:** Ron Jacobs, PM Design Group, 24565 Bennett Valley Road, C-102, Santa Rosa, CA 95404
   
   **Property Owner:** Arash Salkhi, 9 Alpine Road, Novato, CA 94945
   
   **Zoning:** C-1 – General Commercial
   
   **Planner:** Leslie Mendez, lmendez@ci.berkeley.ca.us, (510) 981-7426
   
   **Continued From:** None
   
   **Recommendation:** ADOPT the proposed negative declaration; and APPROVE Use Permit 2013-0031 pursuant to Section 23B.32.040 and subject to the attached Findings and Conditions
   
   **Action:** ADOPT the negative declaration and APPROVE Use Permit 2013-0031 pursuant to Section 23B.32.040 and subject to the attached Findings and Conditions as amended.
   
   **Motion / Second:** B. Allen / S. Donaldson
   
   **# of Speakers:** 4
   
   **Vote:** 4-2-1-1 (Nays: I. Tregub, D. Pinkston, Abstentions: S. Hahn, Absent: P. Pinto)

5. **2401 Warring Street**
   
   Use Permit #2013-0057 to convert an existing 11-bedroom, single family house into a triplex, including a 582-square foot basement addition, 95-square foot attic addition and modified roofline, new foundation, and significant interior modifications including new and renovated bathrooms and kitchens, and parking for three cars.
   
   **CEQA Determination:** Categorically exempt pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”).
   
   **Applicant:** Victor Rasilla 2 Madsen Court Moraga, CA
   
   **Property Owner:** NCR Properties LLC. 2201 Blake Street Berkeley, CA 94704
   
   **Zoning:** R3 – Multiple Family Residential, Hillside Overlay
   
   **Planner:** Jordan Harrison, JHarrison@cityofberkeley.info (510) 981-7416
   
   **Continued From:** None
   
   **Recommendation:** APPROVE Use Permit 2013-0057 pursuant to Section 23B.32.040 and subject to the attached Findings and Conditions
   
   **Action:** CONTINUED to the July 24, 2014 meeting.
   
   **Motion / Second:** I. Tregub / D. Pinkston
   
   **# of Speakers:** 1
   
   **Vote:** 7-0-0-1 (Absent: P. Pinto)
6. **1951-75 Shattuck Avenue (Preview)**

   Use Permit 2013-0058 to redevelop an approximately 17,580-square-foot parcel, which includes the demolition of two existing, commercial buildings; and the construction of an 120-foot tall, 12-story, mixed-use building with approximately 10,000 square feet of commercial space on the ground and mezzanine levels, a three-levels below grade parking garage with 91 vehicle spaces and storage for 30 bicycles, and 78 two-bedroom residential units.

   **CEQA Determination:** Categorically exempt pursuant to Section 15301 of the CEQA Guidelines ("Existing Facilities").
   **Applicant:** Jim Novosel / Bay Architects  1849 Alcatraz Avenue, Berkeley, CA  94703
   **Property Owner:** Don Nasser / Bay Properties, 870 Market Street, Suite 1114, San Francisco, CA 94102
   **Zoning:** Zoning:  C-DMU (Downtown Mixed Use; Outer Core Area)
   **Planner:** Leslie Mendez, lmendez@ci.berkeley.ca.us, (510) 981-7410

   **Continued From:** None
   **Recommendation:** PROVIDE ADVISORY COMMENT on project design, massing and proposed significant community benefits.
   **Action:** COMMENT PROVIDED

7. **Design Review Committee Appointment**

   The Design Review Committee recommends that the Board appoint Burton Edwards to fill the current vacancy for a licensed architect.

   **Continued From:** None
   **Recommendation:** APPROVE
   **Action:** APPROVED
   **Motion / Second:** I. Tregub / S. O’Keefe
   **Vote:** 7-0-0-1 (Absent: P. Pinto)

8. **Approval of Previous Action Minutes**

   Minutes from June 12, 2014 meeting.

   **Continued From:** None
   **Recommendation:** APPROVE
   **Action:** APPROVED
   **Motion / Second:** R. Allen / S. Hahn
   **Vote:** 7-0-0-1 (Absent: P. Pinto)

Adjourned 10:33